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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA  
*ex rel.* RYAN FERGUSON and  
MARK T. PACHECO, as relators  
under the False Claims Act,

Plaintiffs-Relators,

vs.

BRIDGEPOINT EDUCATION, INC.;  
ASHFORD UNIVERSITY;  
UNIVERSITY OF THE ROCKIES;  
and DOES 1 through 20,

Defendants.

Case No. 11cv0493 BTM (DHB)

**NOTICE OF VOLUNTARY  
DISMISSAL PURSUANT TO  
FED. R. CIV. P. 41(a)(1)**

**PLEASE TAKE NOTICE** that Plaintiffs-Relators Ryan Ferguson and Mark T. Pacheco voluntarily dismiss this action without prejudice under Federal Rule of Civil Procedure 41(a)(1).

Because the United States declined to intervene in this action (Dkt. No. 14), the consent of the United States is not necessary to the dismissal of this action. *See United States ex. rel. Killingworth v. Northrop Corp.*, 25 F.3d 715, 722-23 (9th Cir. 1994).

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1 Dated: April 30, 2013

BOTTINI & BOTTINI, INC.  
Francis A. Bottini, Jr.  
Yury A. Kolesnikov

3 By: /s/ Francis A. Bottini, Jr.  
4 Francis A. Bottini, Jr.

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 30, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses of the registered users, and I caused to be mailed the foregoing document via the United States Postal Service to the non-CM/ECF participants indicated below:

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I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 30, 2013.

/s/ Francis A. Bottini, Jr.

Francis A. Bottini, Jr.